

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas  
93rd General Assembly  
Regular Session, 2021

As Engrossed: S2/8/21 H4/21/21

# A Bill

SENATE BILL 247

By: Senator B. Johnson  
By: Representative Holcomb

## For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE PENALTIES FOR  
A VIOLATION OF THE OFFENSE OF RACING A VEHICLE ON A  
PUBLIC HIGHWAY; AND FOR OTHER PURPOSES.

### Subtitle

TO AMEND THE LAW CONCERNING THE PENALTIES  
FOR A VIOLATION OF THE OFFENSE OF RACING  
A VEHICLE ON A PUBLIC HIGHWAY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

*SECTION 1. Arkansas Code § 27-50-302(a)(1), concerning the classification of an offense of certain traffic violations, is amended to read as follows:*

*(1) ~~Racing~~ Except as provided in § 27-50-309(b)(2), the first offense of racing on a public highway – Class A misdemeanor;*

*SECTION 2. Arkansas Code § 27-50-309(b) and (c), concerning the offense of racing on a public highway, are amended to read as follows:*

*(b)(1) A person commits the crime of racing on a public highway if he or she knowingly:*

*(A) Commits a violation of § 27-50-302(a)(1)-(9) and operates a motor vehicle in a race or drag race on a public highway; or*

*(B) Participates in, promotes, solicits, or collects moneys at any location for any race or drag race on a public highway; ~~or~~*

*~~(C) Rides as a passenger in or on a motor vehicle in any~~*



~~race or drag race on a public highway.~~

(2)(A) Racing A first offense of the crime of racing on a public highway is a Class A misdemeanor.

(B) A subsequent offense of the crime of racing on a public highway, committed within five (5) years of a prior offense:

(i) Is a Class A misdemeanor; and

(ii) Shall result upon conviction in the suspension of the person's driver's license for a period of six (6) months.

(c)(1) A person commits the crime of felony racing on a public highway if he or she violates subdivision (b)(1) of this section and:

(A) Commission of the violation serves to impede or stop the flow of traffic traveling on the public highway in the same or opposite direction; or

(B) Is part of a gathering of ten (10) or more individuals engaging in the same or similar behavior.

(2) Felony racing on a public highway is a Class D felony.

~~(e)(1)~~(d)(1) A person commits the crime of observing a drag race as a spectator on a public highway if he or she with the purpose to observe a drag race on a public highway:

(A) Is knowingly present at and purposely observes the drag race or the preparation for the drag race; and

(B) Purposely demonstrates through active encouragement, assistance, facilitation, urging, or a request that the drag race commence.

(2) Observing a drag race is a Class B misdemeanor.

/s/B. Johnson